

Remarks

The following remarks are submitted to address the issued raised in the Office Action mailed April 23, 2002.

Claims 8-11, 13, 15-18 and 21 are currently pending in the application, claims 14 and 16 having been cancelled without prejudice by the foregoing amendment. Claims 8-10, 13, 15, 17 and 18 stand rejected under 35 USC §102(e) as being anticipated by Soon, U.S. Patent No. 5,901,206. Claim 11 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Soon, U.S. Patent No. 5,901,206 and Korycan, U.S. Patent No. 5,950,139. Claim 20 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Soon. Applicants' respectfully request consideration of the application in view of the foregoing amendments and the following remarks.

Claim 8 has been amended to recite that the power source unit may be used to power communication devices and other portable devices and may be used interchangeably with said devices. Support for this amendment may be found on page 5, first, second and third full paragraphs, as well as elsewhere in the specification.

Claims 8-10, 13, 15, 17 and 18 -- 35 USC §102(e)

The rejection of claims 8-10, 13, 15, 17 and 18 under 35 USC §102(e) as being anticipated by U.S. Patent No. 5,901,206 to Soon ("Soon") is respectfully traversed.

Contrary to the Examiner's position, Soon discloses a "telephone that is powered by a battery" (Soon, col. 3, line 16). The flashlight is located within the housing of the telephone, part of which also houses the power source. Soon does not disclose a power source which contains a light source separable from the telephone. Rather, the power source and flashlight are integrated into the housing of the telephone. The flashlight will not operate if the power source is removed from the telephone. Furthermore, the power source is not interchangeable with communication devices and other portable devices. As such, Soon fail to disclose the present invention.

Claims 9, 10, 13, 15-19 and 21 are dependant upon claim 8, which as discussed herein, is not anticipated by Soon. Therefore, none of claim 9, 10, 13, 15, 17 and 18 are anticipated by Soon.

For all of the foregoing reasons, claims 8-10, 13, 15, 17 and 18 are not anticipated by Soon and the Examiner is respectfully requested to withdraw the rejection.

Claim 11 – 35 U.S.C. § 103(a)

The rejection of claim 11 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No 5,901,206 or Soon (“Soon”) and U.S. Patent No. 5,950,139 to Korycan (“Korycan”) is respectfully traversed.

Claim 11 is dependant upon claim 8 discussed above, and as such contains “all the limitations of the claim incorporated by reference into the dependant claim.” (37 CFR 1.75(c)) Korycan fails to account for the deficiencies of the Soon reference. Korycan discloses a device which uses LED’s as a luminous signal quality indicator, which emits light, but is not indicated as able to illuminate the users surrounding. Furthermore, Korycan does not disclose a power source unit which contains the light source and is interchangeably used with communication devices and other portable devices.

For all of the foregoing reasons, claim 11 is not unpatentable over Soon and Korycan and the Examiner is respectfully requested to withdraw the rejection.

Claim 20 -- 35 U.S.C. § 103(a)

The rejection of claim 20 under 35 U.S.C. § 103(a) as being unpatentable over Soon is respectfully traversed.

Claim 20 is dependant upon non-obvious claim 8, as amended above. Soon fails to describe a power pack unit with an integrated light source which is interchangeably used with communication devices and other portable devices. As such, Soon fails to teach or describe the present invention and these distinctions between Soon and the present invention would not have been obvious to one of ordinary skill in the art at the time of the Applicants’ invention.

For all of the foregoing reasons, claim 20 is not unpatentable over Soon and the Examiner is respectfully requested to withdraw the rejection.

Conclusion

All alleged bases for rejection have been properly traversed or rendered moot in view of the foregoing amendment and remarks. Accordingly, Applicants respectfully request that all outstanding rejections be withdrawn, and that the application be allowed. A favorable Office Action is respectfully solicited.

The Examiner is invited to contact the undersigned at 336-607-7315 to discuss any matter relating to the application.

Respectfully submitted,

Date: 7/23/12

By: Todd W. Galinski
Todd W. Galinski (P-51,713) for,
Charles W. Calkins
Reg. No. 31,814

KILPATRICK STOCKTON LLP
1001 West Fourth Street
Winston-Salem, North Carolina 27101
(336) 607-7300

Version With Markings to Show Changes Made

Amendments in the Claims

In accordance with 37 CFR 1.121(c), the following version of the claims as rewritten by the foregoing amendments show all the changes made relative to the previous versions of the claims, with additions underlined and deletions [bracketed].

8. (Twice amended) A power source unit comprising;

a housing;

a lens located in the wall of the housing;

a source of illumination located within the housing and positioned to project a beam of light through the lens to illuminate an area surrounding the device with sufficient candlepower to enable a user to view the area; and

a power source for the source of illumination in electrical communication with the source of illumination;

wherein the power source unit may be used to power communication devices and other portable devices and may be used interchangeably with said devices.